

From: Jim Pearce
To: Microsoft ATR
Date: 1/23/02 4:49pm
Subject: Microsoft Settlement

I am a technical consultant based in Tennessee. I have been using microprocessors since my Cornell undergraduate project in 1973.

I probably was the first student at Cornell to design a microprocessor into a piece of equipment.

I would like to comment on the proposed settlement of US vs. Microsoft.

I do not believe it solves the illegal anticompetitive actions of Microsoft in two important areas:

1. Dual boot of operating systems.
2. Availability of source code to the "free software" community.

1. Dual Boot.

All computers have the ability to have multiple operating systems (OS) resident on their hard drives. As the computer is booting it can ask the user which OS he/she wants to use. This is very common among technically savvy users at the present time.

Unfortunately, MS has limited its OEMs from offering this on the systems that they sell with Windows preinstalled.

This is the kind of anticompetitive action that effectively keeps the less technical user from experimenting with other operating systems.

I believe that MS should be prevented from restricting its licensees from offering dual boot systems.

2. Availability of source code and protocols.

MS has said that they will allow businesses to view its source code and protocols. The problem is that MS gets to decide on its own who a legitimate business is. The free software movement is one of MS's principal competitors. If MS is allowed to shield its code and protocols from the writers of Apache, Linux, etc. then they will not, in reality, be disclosing this information to the people who can best use it for competitive products.

I believe that a body other than MS should be the gate keeper to the code and protocols. This body should be independent of MS and be under the control of the court.

Thank you for your consideration.

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